

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

LM INSURANCE CORPORATION

PLAINTIFF

v.

CIVIL ACTION NO. 1:16-cv-00039-GHD-DAS

ROCKHILL INVESTMENT TRUST;
SWIFT STAFFING ALABAMA, LLC;
SWIFT STAFFING GEORGIA, LLC;
SWIFT STAFFING MISSISSIPPI, LLC;
and ROCKHILL STAFFING MISSISSIPPI,
LLC

DEFENDANTS

ORDER GRANTING DEFENDANTS' MOTION TO SET ASIDE DEFAULT JUDGMENT

On November 10, 2016, the Court entered a Default Judgment [21] and memorandum opinion [22] granting Plaintiff's motion for default judgments against all Defendants, awarding Plaintiff damages on the three insurance policies at issue in the case *sub judice* in a combined amount of \$897,219.00 plus interest. Presently before the Court is Defendants' motion to set aside default judgment [29], wherein they ask the Court to set aside the Default Judgment in this case for reasons of surprise, mistake, and/or excusable neglect under Rule 60(b)(1) of the Federal Rules of Civil Procedure. Plaintiff has filed a response indicating it has no opposition to the requested relief. The Court finds that the motion to set aside default judgment [21] is well taken.

ACCORDINGLY, the Court ORDERS that Defendants' motion to set aside default judgment [29] is GRANTED; the Default Judgment [21] entered by this Court on November 10, 2016 shall be SET ASIDE; and this case shall proceed on the merits.

SO ORDERED, this, the 8th day of March, 2017.



SENIOR U.S. DISTRICT JUDGE